



FEDERAL ELECTION COMMISSION
WASHINGTON, D C. 20463

SEP - 1 2004

Nancy Casanova
Electronic Techniques, Inc.
21 Lydia Lane
Garden City, NY 11530

RE: MUR 5524
Electronic Techniques, Inc.

Dear Ms. Casanova:

Please note that the letter and Factual and Legal Analysis you previously received incorrectly referred to "Electric Techniques, Inc." when they should have referred to "Electronic Techniques, Inc." I apologize for this error. This letter corrects that error and a corrected Factual and Legal Analysis, which formed a basis for the Commission's finding, is enclosed for your information.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Pinegar", with a long horizontal flourish extending to the right.

Daniel G. Pinegar
Attorney

Enclosure:
Factual and Legal Analysis (corrected)

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Electronic Techniques, Inc.

MUR: 5524

I. GENERATION OF MATTER

This case was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. *See* 2 U.S.C. § 437g(a)(2).

II. FACTUAL AND LEGAL ANALYSIS

Dr. Marilyn O'Grady ran for a U.S. House of Representatives seat in New York's 4th Congressional district in 2002. She won her September 10, 2002 primary election, but lost to Carolyn McCarthy in the general election on November 5, 2002. O'Grady's authorized political committee was Friends of Marilyn O'Grady ("the Committee").

The Federal Election Campaign Act of 1971, as amended, prohibits a corporation from making any contribution or expenditure, directly or indirectly, in connection with any Federal election. 2 U.S.C. § 441b(a). This prohibition applies to any type of corporation, including a non-stock corporation, an incorporated membership organization, and an incorporated cooperative. The term "contribution" includes any "direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services or anything of value" to any candidate or campaign committee in connection with any Federal election. 2 U.S.C. § 441b(b)(2).

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1 The Commission authorized an audit of the Committee pursuant to 2 U.S.C. § 438(b),
2 covering the period of January 15, 2002 – December 31, 2002. The Commission approved the
3 findings of the Final Audit Report on March 22, 2004. The Final Audit Report includes findings
4 that the Committee received prohibited contributions from different corporate entities. In
5 particular, on October 7, 2002, Nancy Casanova wrote a check for \$200 to the Committee that
6 was drawn on the account of Electronic Techniques, Inc. Electronic Techniques, Inc. is a
7 corporation registered as such in the state of New York. The Committee received and deposited
8 this contribution.

9 Therefore, there is reason to believe that Electronic Techniques, Inc. violated 2 U.S.C.
10 § 441b(a) by making a prohibited contribution.

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